

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY SUB-COMMITTEE

Call to Order: By **VICE CHAIRMAN DAN MCGEE**, on February 3, 1999
at 10:30 A.M., in Room 312 - 1 Capitol.

ROLL CALL

Members Present:

Rep. Dan McGee, Vice Chairman (R)

Rep. Paul Clark (D)

Rep. Loren Soft (R)

Members Excused: None.

Members Absent: None.

Staff Present: John MacMaster, Legislative Branch
Pam Schindler, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 243 & HB 366, 2/3/1999
Executive Action:

SUB COMMITTEE ACTION ON HB 243 & 366

Vice Chairman McGee called the meeting to order. Present at the meeting were Rep. P. Clark, Rep. L. soft, Vice Chairman McGee, John McMaster, Legislative Staffer and Pam Schindler, Committee Secretary. There were also representatives from the Dept. of Public Health and Human Services.

The intent of the meeting was to address the possibility of incorporating some or all portions of HB 243 into HB 366.

Motion/Vote: REP. MCGEE moved HB 243-MOVE TO STRIKE LANGUAGE REGARDING CONSTITUTIONAL RIGHTS OF PARENTS PAGE 1 LINE 23-366.

Motion failed 1-2. Rep. P. Clark and Soft voting no.

Discussion: Rep. Soft then discussed page 3 line 17-20 regarding "Substantial Risk". He requested that we move it from HB 243 to HB 366. **Motion/Vote:** REP. SOFT moved HB 243-MOVE "SUBSTANTIAL RISK". **Motion carried 3-0.**

Discussion: Rep. McGee then addressed "extended family" in page 3 line 28. Rep. P. Clark said there were advantages in HB 243 re: temporary placement, assessments, family placement all involving the child's trust factor.

The discussion then moved to "Substantial bruising, and what physical abuse means; intentional act or gross negligence.

Motion/Vote: REP. SOFT moved HB 243-MOVE LINE 2 PAGE 5 TO PAGE 4 ON HB 366. ALSO INSERT "THAT" AND STRIKE "INTENTIONAL". **Motion carried 3-0.**

ALL AMENDMENTS MOVED.

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Motion/Vote: REP. MCGEE moved HB 366-STRIKE PLURALS LINE 29. **Motion carried unanimously.**

Motion/Vote: REP. SOFT moved HB 366-PAGE 5 LINE 29-30. **Motion carried unanimously.**

Motion/Vote: REP. SOFT moved HB 366-PAGE 6 HB 243 LINE 27-28 MOVE TO HB 366 PAGE 6 LINE 16. **Motion carried unanimously.**

Motion/Vote: REP. MCGEE moved HB 243-TREATMENT PLANS TO HB 366 SUB. 21 PAGE 5. HB 243 LINE 6 TO HB 366 LINE 25-26. **Motion carried unanimously.**

Motion/Vote: REP. MCGEE moved HB 366-CPT TEAMS AND COUNTY COMMISSIONERS INVOLVEMENT.. **Motion carried unanimously.**

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Meeting adjourned.

ADJOURNMENT

Adjournment: 11:45 A.M.

VICE CHAIRMAN DAN MCGEE, Chairman

PAM SCHINDLER, Secretary

RC/PS

EXHIBIT (juh27aad)